

REMARKS

Claims 486-491 were rejected as allegedly obvious based on Stackebrandt, et al. (U.S. Patent No. 5,089,386). To facilitate the allowance of the present application, Applicants have (1) amended the claims either by describing the target organism for the target region present in a location corresponding to bases 1250-1290 of *E. coli* 16S rRNA or the encoding DNA ("the 1250-1290 region") as *Mycoplasma pneumoniae* or by removing reference to the 1250-1290 region; and (2) enclosed a declaration antedating Stackebrandt, et al. with respect to the target region present in a location corresponding bases 980-1060 of *E. coli* 16S rRNA or the encoding DNA. The amendments to the claims are made without prejudice to future prosecution. Reconsideration of this rejection is respectfully requested.

Stackebrandt, et al. indicates that the target organisms are *Listeria*. Support for the use of the *Mycoplasma pneumoniae* 1250-1290 region for detecting whether *Mycoplasma pneumoniae* may be present in a sample is provided in the application, for example, see page 57, lines 31 and 32.

Applicants have also amended the Title to more clearly reflect the claimed invention, made editorial revisions to the claims, corrected the target region in claim 505, and amended claim 512 to account for amendments made to the independent claims. Claim 505 depends from claim 504 and was amended to reference a target region provided for in claim 504.

Accordingly, the claims are now in condition for allowance and a notice to that effect is respectfully requested. If any fee is due in connection with this Amendment, please charge Deposit Account No. 12-2475 for the appropriate amount.

Respectfully submitted,

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